

ORDINANCE NO. 030717-119

AN ORDINANCE AMENDING ORDINANCE NO. 860807-H, AND REZONING AND CHANGING THE ZONING MAP TO MODIFY THE BOUNDARIES OF THE FAIRVIEW PARK NEIGHBORHOOD CONSERVATION COMBINING DISTRICT AREA AND ADD A NEIGHBORHOOD CONSERVATION COMBINING DISTRICT TO THE BASE ZONING DISTRICTS OF 48 TRACTS OF LAND AND CHANGE THE BASE ZONING DISTRICTS ON THREE TRACTS OF LAND.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. Ordinance No. 860807-H is amended to include the property identified in this Part in the Fairview Park neighborhood conservation combining district. The zoning map established by Section 25-2-191 of the City Code is amended to add a neighborhood conservation combining district to 48 tracts of land and change the base zoning districts on three tracts of land within the property described in Zoning Case No.C14-02-0067 on file at the Neighborhood Planning and Zoning Department, generally known as the Fairview Park neighborhood conservation combining district, locally known as the property bounded by South Congress Avenue on the west, East Riverside Drive and East Bouldin Creek on the north, East Monroe Street on the south and Alameda Drive, Sunset Lane and Eastside Drive on the east in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "A".

PART 2. The zoning districts for 48 tracts of land are changed from family residence (SF-3) district, family residence-conditional overlay (SF-3-CO) combining district, multifamily residence low density (MF-2) district, multifamily residence low density-historic (MF-2-H) combining district, multifamily residence low density-neighborhood conservation (MF-2-NCCD) combining district, multifamily residence medium density (MF-3) district, multifamily residence moderate high density (MF-4) district, multifamily residence moderate high density-historic (MF-4-H) combining district, general commercial services (CS) district, commercial-liquor sales (CS-1) district, to family residence neighborhood conservation (SF-3-NCCD) combining district, family residence-conditional overlay-neighborhood conservation (SF-3-CO-NCCD) combining district, multifamily residence low density neighborhood conservation (MF-2-NCCD) combining district, multifamily residence medium density-neighborhood conservation (MF-3-NCCD) combining district, multifamily residence low density-neighborhood conservation-historic (MF-2-H-NCCD) combining district, multifamily residence moderate high density-neighborhood conservation (MF-4-NCCD) combining district, multifamily residence moderate high

density-historic-neighborhood conservation (MF-4-H-NCCD) combining district, general commercial services-neighborhood conservation (CS-NCCD) combining district, commercial-liquor sales-neighborhood conservation (CS-1-NCCD) combining district, as more particularly described and identified in the chart below and as shown on the attached Exhibit "B".

TRACT	ADDRESS	FROM	TO
1	112 B Academy Drive	MF-4-H	MF-4-H-NCCD
2	604 Academy Drive	MF-4	MF-4-NCCD
3	605 Academy Drive	SF-3	SF-3-NCCD
4	609 Academy Drive	SF-3-CO	SF-3-CO-NCCD
5	1505 Brackenridge Street	SF-3	SF-3-NCCD
6	0 The Circle (known as Lot 6, Block 7 & 8 out of the Benson Subdivision)	MF-4	MF-4-NCCD
7	200 The Circle	MF-4	MF-4-NCCD
8	205 The Circle	SF-3	SF-3-NCCD
9	1317 S. Congress Avenue	CS	CS-NCCD
10	1401 S. Congress Avenue	CS	CS-NCCD
11	1403 S. Congress Avenue	CS-1	CS-1-NCCD
12	1503 Drake Avenue	SF-3	SF-3-NCCD
13	1505 Drake Avenue	SF-3	SF-3-NCCD
14	1507 Drake Avenue	SF-3	SF-3-NCCD
15	106 E. Gibson Street	SF-3	SF-3-NCCD
16	1225 Hillside Avenue	MF-2	MF-2-NCCD
17	316 Le Grande Avenue	SF-3	SF-3-NCCD
18	318 Le Grande Avenue	SF-3	SF-3-NCCD
19	210 E. Monroe Street	SF-3	SF-3-NCCD
20	300 E. Monroe Street	SF-3	SF-3-NCCD
21	514 E. Monroe Street	SF-3	SF-3-NCCD
24	1304 Newning Avenue	MF-2-H	MF-2-H-NCCD
26	1310 Newning Avenue	MF-3	MF-3-NCCD
27	1312 Newning Avenue	MF-3	MF-3-NCCD
28	1318 Newning Avenue	MF-3	MF-3-NCCD
29	1400 Newning Avenue	MF-3	MF-3-NCCD
30	1402 Newning Avenue	MF-3	MF-3-NCCD
31	1423 Newning Avenue	MF-3	SF-3-NCCD
32	1501 Newning Avenue	SF-3	SF-3-NCCD
33	1502 Newning Avenue	SF-3	SF-3-NCCD
34	1503 Newning Avenue	MF-3	SF-3-NCCD

TRACT	ADDRESS	FROM	TO
35	1503 B Newning Avenue	MF-3	SF-3-NCCD
36	1505 Newning Avenue	SF-3	SF-3-NCCD
37	1300 Nickerson Street	SF-3	SF-3-NCCD
38	1400 Nickerson Street	SF-3	SF-3-NCCD
39	1402 Nickerson Street	SF-3	SF-3-NCCD
40	1404 Nickerson Street	SF-3	SF-3-NCCD
41	1406 Nickerson Street	SF-3	SF-3-NCCD
42	1408 Nickerson Street	SF-3	SF-3-NCCD
43	1503 Nickerson Street	SF-3	SF-3-NCCD
44	1505 Nickerson Street	SF-3	SF-3-NCCD
45	200 Park Lane	SF-3	SF-3-NCCD
46	203 Park Lane	SF-3	SF-3-NCCD
47	204 Park Lane	SF-3	SF-3-NCCD
48	205 Park Lane	SF-3	SF-3-NCCD
49	307 Park Lane	SF-3	SF-3-NCCD
50	504 Pecan Grove Road	SF-3	SF-3-NCCD
52	512 Sunny Lane	SF-3	SF-3-NCCD
53	309 Park Lane	MF-2-NCCD	SF-3-NCCD

PART 3. Except as modified below the property is subject to the use and site development regulations established in Ordinance No. 860807-11.

PART 4. The special compatibility standards referred to in Part 2 of Ordinance No. 860807-11 apply to development zoned single family residence condominium (SF-5) district or less restrictive and the following subparts are added to Part 2:

- (C) A 25-foot wide vegetative buffer shall be established and maintained along property lines adjacent to a property used or zoned family residence-neighborhood conservation (SF-3-NCCD) combining district.
- (D) Storm water and water quality detention are required on-site for development that exceeds 12 residential units per acre.

PART 5. Part 5 is amended to remove the following words: "SAVE AND EXCEPT those properties identified as "EXCLUDED" on the map attached as Exhibit "B" to this ordinance."

PART 6. Part 6, subpart B (2) and (6) regarding two-family residential use is amended as follows:

(2) The gross floor area of a second dwelling unit constructed on a lot with an existing dwelling unit may not exceed fifteen percent (15%) or eight hundred-fifty (850) square feet, whichever is smaller, of the lot area.

(6) Vehicular access to the lot is restricted to a single paved driveway not less than fifteen (15) feet in width that serves both dwelling units.

PART 7. Part 6, subpart D is repealed and the following is substituted in its place:

(D) Development or redevelopment of multi-family, condominium, or townhouse uses with three or more units is subject to the following conditions:

(1) Site plan review is required and notice of site plan review is required to the registered neighborhood association.

(2) Maximum density is:

(a) 11 dwelling units per acre for property zoned multifamily residence low density (MF-2) district;

(b) 15 dwelling units per acre for property zoned multifamily residence medium density (MF-3) district; and

(c) 22 dwelling units per acre for property zoning multifamily residence moderate-high density (MF-4) district.

(d) For purposes of calculating the maximum permitted density, each dwelling unit shall be counted as a single unit, notwithstanding the size or configuration of the unit.

(3) The maximum impervious cover is 55 percent of a lot area.

PART 8. Part 6 subpart E (1) regarding development or redevelopment along South Congress Avenue is amended as follows:

(1) A lot with less than 50 feet of street frontage is exempt from the off-street parking requirements and application of the landscaping regulations under Section 25-2-981 through 25-2-1008 except for

restaurant use (general, limited, drive-in, fast food) and cocktail lounge use which use shall be required to meet 80 percent of parking requirements.

PART 9. Part 6, subpart F is repealed and the following is substituted in its place:

(D) Development or redevelopment for nonresidential uses of sites without frontage on South Congress Avenue is subject to the following conditions:

- (1) Site plan review is required and notice of site plan review is required to the registered neighborhood association.
- (2) The maximum building coverage is 35 percent.
- (3) The maximum impervious cover is 45 percent.
- (4) The maximum height is 30 feet.
- (5) Use of the property is limited to office use, excluding medical offices.

PART 10. Part 6, subpart H is repealed in its entirety.

PART 11. Part 7, is repealed and the following is substituted in its place:

PART 7. The following modification of use of site development regulations apply to the following specific sites:

1202 Newning: The maximum density is 38 dwelling units if the property is redeveloped.

1214 Newning: If the existing structure is preserved and is designated as an historic landmark under the Historic Landmark Regulations of Chapter 13-2A, neighborhood office (NO) use is permitted in up to two-thirds of the gross floor area of the existing structure if one floor of the structure is occupied as a residence by the owner of the property.

1300 Newning: The maximum density is 20 dwelling units if the property is redeveloped.

PART 12. The Council waives the requirements of Sections 2-2-3 and 2-2-7 of the City Code for this ordinance.

PART 13. This ordinance takes effect on July 28, 2003.

PASSED AND APPROVED

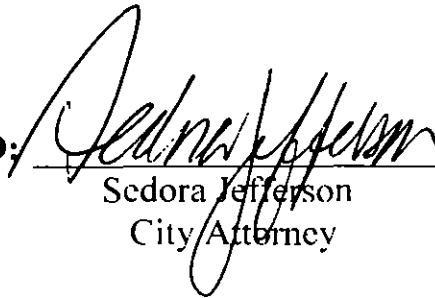
July 17, 2003

§
§
§

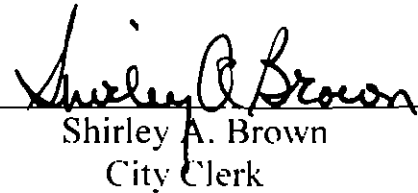


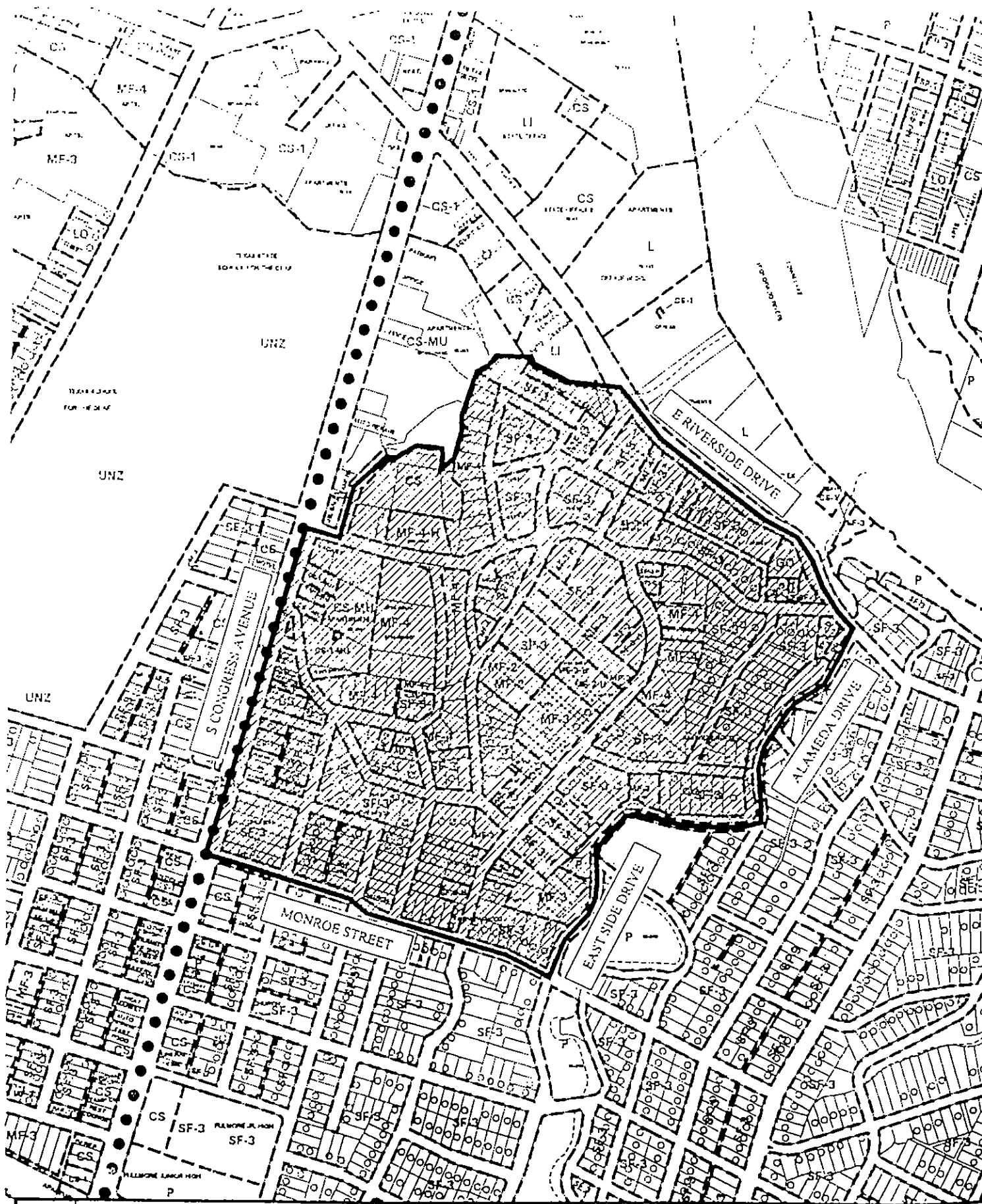
Will Wynn
Mayor

APPROVED:

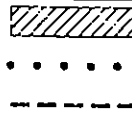

Sedora Jefferson
City Attorney

ATTEST:


Shirley A. Brown
City Clerk



SUBJECT TRACT
 PENDING CASE
 ZONING BOUNDARY
 CASE MGR: S. GAGER



CASE #: C14-02-0067
 ADDRESS: FAIRVIEW PARK NPCD
 SUBJECT AREA (acres): 132.500

ZONING EXHIBIT A

DATE: 02-05

INTLS: SM

CITY G
 REFERE
 NUMBER
 J20-21

